

16cv2517

USDC SDNY
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SDNY PRO SE OFFICE
application for pro
bono counsel
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① what stage of litigation is your case at that you feel that you need pro bono counsel (if this court grants your application)?

A. my case has already reached the conclusion of discovery and is approaching the trial stage. now the defendants have submitted a motion to dismiss my complaint. However, they have submitted (or presented) these same contentions previously before this court and this court ruled in my favor in regards to this matter. so its foreseeable that this matter will proceed to trial and at that stage, i will need representation due to my inexperience (I never had a case that I litigated pro se reach the trial stage).

② what are the merits of your case?

A. the defendants that I brought this civil rights action against violated my constitutional rights, when they didn't comply with the governing legal standard that's set in place to ensure that a citizen's constitutional rights are afforded to them in matters involving the feasible administration of medication, improper use of restraints and involuntary commitment.

③ have you requested for a lawyer before in this case? if so, what was the result?

A. I have requested for a lawyer before in this case and my appl.

ication was granted, however, I was only appointed a lawyer for the discovery stage of my case. Therefore, I am renewing my application in order to receive representation for the trial stage.

④ why do you feel that you need a lawyer in this case?

A. my case is approaching the trial stage and I have no experience at that stage of litigation. Furthermore, my facility's law library is not allowing detainees to utilize the technologies available to conduct legal research or make copies of documents, which puts me in a disadvantage when I have to start making preparations to proceed to trial. I also have no experience in cross-examining witnesses, I'm unable to have face to face consultations with attorneys concerning them representing me in this matter due to my incarceration and I'm unable to obtain all the documents I submitted to the docket because of my financial situation in order to formulate an effective offense to present before the court during trial. For the reasons listed above, I will like this court to grant this application.

⑤ what lawyers have you contacted to represent you in this matter?

• Morrison and Foerster LLP • Clifford and Chance LLP

• Sivan and Miller LLP • Bender and Bender LLP (if in not answered)

• Law offices of Michael Lamensdorf • Law offices of attorney Matthew B. Waller

NASS, Roper and Levin LLP

Responses: all of these Lawyers informed me that they are unable to represent me in this matter.

Name: Robert D. Lurhburger

Date: 7/7/2020

signature: 

Docket #: 16cv2517 Case Name: Lurh v. Chertoff, et. al.

Pro Se Plaintiff's application for the Court to provide pro bono counsel is denied without prejudice to renewing in the event Defendants' motion for summary judgment is denied.

The Clerk's Office is directed to mail a copy of this Order to Plaintiff and note service on the docket.

SO ORDERED:

7/20/2020



HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Robert D. Lynch 37

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Bronx, NY

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NEW YORK 1000

PRO SE OFFICE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
500 PEARL STREET
NEW YORK, N.Y.

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